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PTO/SB/21 (08-00)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number

09/457,209

RECEIVED

Filing Date

12/08/1999

AUG 14 2000

First Named Inventor

Cain

Technology Center 2100

Group Art Unit

2155

Examiner Name

Zia

Total Number of Pages in This Submission

Attorney Docket Number

2204/186 120-025

ENCLOSURES (check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment
- After Final
- Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement, Form PTO-1449
- Certified Copy of Priority Document(s)
- Response to Missing Parts/ Incomplete Application
 - Response to Missing Parts under 37 CFR 1.52 or 1.53

- Assignment Papers (for an Application)
- Drawing(s)
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation
- Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s)

- After Allowance Communication to Group
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please identify below):

Return Receipt Postcard

Remarks

Please charge any deficiency or credit any overpayment to Deposit Account No. 502569.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Lindsay G. McGuinness, Reg. No. 38,549
Steubing McGuinness & Manaras LLP

Signature

Date

8/7/03

CERTIFICATE OF MAILING or FACSIMILE

I hereby certify that this correspondence is being transmitted or mailed to the United States Patent and Trademark Office on this date:

18/7/03

Type or printed name

Carol Ann Mahoney

Signature

Date

8-7-03

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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FEE TRANSMITTAL
for FY 2003

Patent fees are subject to annual revision.

 Applicant Claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$180.00)**Complete if Known****RECEIVED**

Application Number 09/457,209

Filing Date 12/8/1999

First Named Inventor Cain AUG 14 2003

Examiner Name Zia Technology Center 2100

Art Unit 2155

Attorney Docket No. 2204/186 120-025

METHOD OF PAYMENT (check all that apply) Check Credit card Money Order Other None Deposit Account

| | |
|------------------------|-----------------------------------|
| Deposit Account Number | 502569 |
| Deposit Account Name | Steubing McGuinness & Manaras LLP |

The Commissioner is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments Charge any additional fee(s) during the pendency of this application Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEES CALCULATION****1. BASIC FILING FEE**

| Large Entity | Small Entity | Fee Description | Fee Paid |
|---------------------|--------------|-----------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) |
| 1001 | 760 | 2001 | 380 |
| 1002 | 340 | 2002 | 170 |
| 1003 | 520 | 2003 | 260 |
| 1004 | 760 | 2004 | 380 |
| 1005 | 160 | 2005 | 80 |
| SUBTOTAL (1) | | (\$ 750.00) | |

2. EXTRA CLAIM FEES

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------|----------------|----------|
| 18 | 5 | 18.00 | = |
| 6 | 3 | 84.00 | = |

| Large Entity | Small Entity | Fee Description | Fee Paid |
|---------------------|--------------|-----------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) |
| 1202 | 18 | 2202 | 9 |
| 1201 | 84 | 2201 | 43 |
| 1203 | 290 | 2203 | 145 |
| 1204 | 86 | 2204 | 43 |
| 1205 | 18 | 2205 | 9 |
| SUBTOTAL (2) | | (\$) | |

** or number previously paid, if greater; For Reissues, see above

FEES CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|----------|----------|----------|----------|-----------------------------------------------------------------------------------|----------|
| 1051 | 130 | 2051 | 65 | Surcharge – late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge – late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 410 | 2252 | 205 | Extension for reply within second month, minus 1 st month already paid | |
| 1253 | 940 | 2253 | 470 | Extension for reply within third month | |
| 1254 | 1,470 | 2254 | 735 | Extension for reply within fourth month | |
| 1255 | 2,000 | 2255 | 1,000 | Extension for reply within fifth month | |
| 1401 | 320 | 2401 | 165 | Notice of Appeal | |
| 1402 | 320 | 2402 | 165 | Filing a brief in support of an appeal | |
| 1403 | 290 | 2403 | 145 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive – unavoidable | |
| 1453 | 1,310 | 2453 | 655 | Petition to revive – unintentional | |
| 1501 | 1,310 | 2501 | 655 | Utility issue fee (or reissue) | |
| 1502 | 470 | 2502 | 235 | Design issue fee | |
| 1503 | 630 | 2503 | 315 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | 180.00 |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 760 | 2809 | 380 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 1810 | 760 | 2810 | 380 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 1801 | 760 | 2801 | 380 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 180.00)

| SUBMITTED BY | | | | | | Complete (if applicable) |
|-------------------|------------------------------|--|-----------------------------------|------------|-----------|--------------------------|
| Name (Print/Type) | Lindsay G. McGuinness | | Registration No. (Attorney/Agent) | 38,549 | Telephone | 978-264-6664 |
| Signature | <i>Lindsay G. McGuinness</i> | | Date | 07/17/2003 | | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 37 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Cain

Serial No.: 09/457209

Filed: 12/8/1999

Title: System Device and Method for
Sending Keep-Alive Messages in a
Communications Network

Attorney Docket No.: 2204/186 120-025

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Group Art Unit: 2155

Examiner: Zia

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AUG 14 2003

Technology Center 2100

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This Information Disclosure Statement is submitted:

- under 37 CFR 1.97(b), or
(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- under 37 CFR 1.97(c) together with either a:
 - Statement under 37 CFR 1.97(e), or
 - a \$180.00 fee under 37 CFR 1.17(p), or
(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- under 37 CFR 1.97(d) together with a:
 - Statement under 37 CFR 1.97(e), and
 - a \$180.00 fee set forth in 37 CFR 1.17(p).
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

Applicant(s) submit herewith Form PTO 1449-Information Disclosure Citation together with copies, of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

The relevance of the attached references is that this is the closest art of which Applicant is aware. Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

It is requested that the information disclosed herein be made of record in this application.

Respectfully submitted,

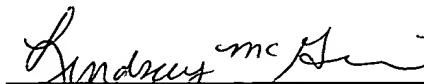
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313.

Date of Deposit: 8-7-03

Typed Name: Carol Ann Mahoney

Signature:

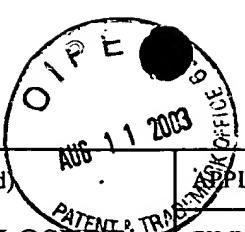




Lindsay McGuinness, Reg. No. 38,549

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30 Nagog Park
Acton MA 01720
978-264-6664

Date: 8/7/2003
Telephone No.: 978-264-6664



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|------------------------------------------------------|----|------------------|-------------------|
| FORM PTO-1449/A and B (Modified) | | APPLICATION NO.: | ATTY. DOCKET NO.: |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | FILING DATE: | CONFIRMATION NO.: |
| | | APPLICANT: | |
| Sheet | of | GROUP ART UNIT: | EXAMINER: |

U.S. PATENT DOCUMENTS

| Examiner's Initials | Cite No. | U.S. Patent Document | | Name of Patentee or Applicant of Cited Document | Date of Publication or of issue of Cited Document MM-DD-YYYY |
|---------------------|----------|----------------------|-----------|-------------------------------------------------|-----------------------------------------------------------------|
| | | Number | Kind Code | | |
| | | 5,715,260 | | Black et al. | 02/02/1998 |
| | | | | | RECEIVED |
| | | | | | AUG 14 2003 |
| | | | | | Technology Center 2100 |
| | | | | | |

FOREIGN PATENT DOCUMENTS

| Examiner's Initials | Cite No. | Foreign Patent Document | | | Name of Patentee or Applicant of Cited Document (not necessary) | Date of Publication of Cited Document MM-DD-YYYY | Translation (Y/N) |
|---------------------|----------|-------------------------|--------|-----------|--------------------------------------------------------------------|-----------------------------------------------------|-------------------|
| | | Office/ Country | Number | Kind Code | | | |
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OTHER ART — NON PATENT LITERATURE DOCUMENTS

| Examiner's Initials | Cite No | Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published. | Translation (Y/N) |
|---------------------|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| | | Wollman, Overview of Open Shortest Path First, Version 2 (OSDPF V2) Routing in the Tactical Environment | |
| | | Mosedale, Administering Very High Volume Internet Services, 1995 LISA IX, September 17-22, 1995 | |
| | | Jon Anderson and MattD. Nguyen, ATM-Layer OAM Implementation Issues, IEEE Communications Magazine, September 1991 | |

| EXAMINER | DATE CONSIDERED |
|----------|-----------------|
| | |

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. ___, filed ___, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

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